

SHAVEZ HOLDEN,

Plaintiff

VS.

JOHN E. WETZEL, *et al.*,

Defendants.

Case No. 1:18-cv-237-SPB

**United States District Judge
Susan Paradise Baxter**

MEMORANDUM AND ORDER

Plaintiff Shavez Holden, an inmate at the State Correctional Institute at Forest, commenced this civil rights action challenging the conditions of his confinement. The current operative pleading, filed on December 7, 2018, is Plaintiff's Second Amended Complaint, ECF No. 11, which names as defendants some twenty-two (22) individuals associated with or employed at SCI Forest.¹ By Order entered on October 31, 2018, ECF No. 9, the Court granted Plaintiff *in forma pauperis* status. ECF No. 9. In a subsequent Text Order entered on December 11, 2018, the Court directed Plaintiff to provide the Clerk's Office with all required USM 285 forms for each Defendant identified in his Second Amended Complaint. ECF No. 13. Although the docket reflects that Plaintiff has complied with this directive, neither the Court nor the Clerk's Office have been able, despite diligent efforts, to locate the previously submitted USM forms, which are required before the Court can direct service to be made by the U.S. Marshals Service.

¹ Although the caption of the Second Amended Complaint names twenty-one (21) individual defendants, “O. Slater” is identified as an additional defendant in the body of the pleading. Second Amend. Compl. ¶11.

In light of the foregoing, the Court must, unfortunately, direct Plaintiff to once again submit USM 285 forms for each of the Defendants identified in the Second Amended Complaint. Recognizing that this directive will result in some inconvenience to Plaintiff, the Court will provide ample time – until April 3, 2019 -- for Plaintiff to submit the required forms. In addition, the Court will extend the deadline for service to June 4, 2019, pursuant to Federal Rule of Civil Procedure 4(m), as the Court finds that there is good cause for such an extension. Upon receipt of the USM 285 forms, the Court will reopen this case and direct that service packets be mailed by the U.S. Marshal Service to each of the named Defendants identified on the forms.

AND NOW, this 6th day of March, 2019, IT IS HEREBY ORDERED that Plaintiff shall, on or before April 3, 2019, re-submit USM 285 forms for the Defendants identified in the Plaintiff's Second Amended Complaint.

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge

cc: SHAVEZ HOLDEN
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